THE HON'BLE SRI JUSTICE L. NARASIMHA REDDY

WRIT PETITION No. 26552 of 2005

DATED: 03.02.2006

Between:

M.Venu.

... PETITIONER

AND

The Vice-Chairman & Managing Director and others.

... RESPONDENTS

ORDER:

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The petitioner was initially engaged as a Driver on daily wage basis in Narasampet Depot, APSRTC, vide proceedings, dated 30.03.1998. Subsequently, he was disengaged and re-engaged at various spells of time, through Office Orders dated 06.03.1999 and 12.07.1999 etc., issued by the Regional Manager, Warangal. The petitioner states that he was forced to remain out of duty, during a general strike, in the year 2001, while he was working at Narasampet Depot. Even after the strike was called off, he was not taken on duty. The petitioner claims to have made a representation, dated 18.08.2005, to the 2nd respondent, and complains that no action has been taken thereon, so far.

Heard the learned counsel for the petitioner and the learned Standing Counsel for the respondents

The record discloses that the petitioner was initially engaged on daily wage basis, through order, dated 30.03.1998, and thereafter, he was disengaged and re-engaged at various spells of time. The petitioner filed before this Court, the copies of some pay slips, which disclose that he was paid salary for the period, during which he was engaged.

It is not clear as to whether any written orders were passed, disengaging the petitioner, on account of his participation in the strike. Unless specific orders have been passed, removing the petitioner from the list of the drivers to be engaged on daily wage basis, he is entitled to be entrusted with the work, as and when it is available. The petitioner asserts that several daily wage drivers, who are juniors to him, are being engaged into service, even as of now.

For the foregoing reasons, the Writ Petition is disposed of, directing the 2nd respondent to pass appropriate orders on the representation, dated 18.08.2005, made by the petitioner. It is, however, made clear that in case, the name of the petitioner was not removed from the list of daily wage drivers, through any written order, and any drivers, who are juniors to the petitioner, are being continued, the petitioner shall also be extended the same facility. There shall be no order as to costs.

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03.02.2006

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